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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

Isar Patent 1084.1-KGB

First Inventor

JURGEN HESCHELER

Title

SEE APPENDIX

Express Mail Label No.

EV 015944077 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)

2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.

3. ☒ Specification [Total Pages **17**]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **4**]

5. Oath or Declaration [Total Pages **2**]

- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)

11. ☐ English Translation Document (if applicable)

12. ☒ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations

13. ☒ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.

17. ☒ Other: APPENDIX, EXPRESS MAIL CERTIFICATE

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: **09/446,717**

Prior application information: Examiner **J. WOITACH**

Group / Art Unit: **1632**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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27384

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type) **KURT G. BRISCOE**

Registration No. (Attorney/Agent)

33,141

Signature

Date

February 28, 2002

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APPENDIX

TITLE: FLUORESCENT PROTEINS AS CELL-TYPE SPECIFIC
REPORTERS

LIST OF INVENTORS: JÜRGEN HESCHELER Nationality: German
Eckdorfer Strasse 7
D-50968 Köln
Germany

CLAIM TO PRIORITY:

Priority is hereby claimed under 35 USC 119 on the basis of German Application No. 197 27 962.7, filed on July 2, 1997. Priority is also claimed under 35 USC 120 on the basis of U.S. Serial No. 09/446,717, filed on April 13, 2000, now pending, which is, in turn, a 371 of PCT/EP98/03988, filed on June 30, 1998. The filing of the priority document was acknowledged in a communication from the Patent and Trademark Office dated August 14, 2000.

ASSIGNMENT:

The prior application is assigned to Axiogenesis AG, Auerstrasse 04; D-50733 Köln, Germany.

“Express Mail” Mailing Label No. EV 015944077 US

Date of Deposit: February 28, 2002

NORRIS, McLAUGHLIN & MARCUS

By: 

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT****\$370.00****Complete if Known**

Application Number

To Be Assigned

Filing Date

HEREWITH

First Named Inventor

JURGEN HESCHELER

Examiner Name

J. Woitach

Group Art Unit

1632

Attorney Docket No.

101541-1 / Isarpatent 1084.1-KGB

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

14-1263

Deposit
Account
Name

Norris McLaughlin & Marcus

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee
to the above identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	370.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					370.00

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims		Fee from below	Fee Paid
Total Claims			
17	-20** = 0	18.00	0.00
Independent Claims	1 - 3** = 0	84.00	0.00
Multiple Dependent			0.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

SUBMITTED BY

Name (Print/Type)

KURT G. BRISCOE

Registration No.
(Attorney/Agent)

33,141

Complete (if applicable)

Telephone

(212) 808-0700

Signature

Date

February 28, 2002

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TRANSMITTAL OF FORMAL DRAWINGS

Docket No.
Isarpatent 1084.1-KGB

In Re Application Of: **JURGEN HESCHELER**

Serial No.	Filing Date	Batch No.	Examiner	Art Unit
TO BE ASSIGNED	HEREWITH		J. WOITACH	1632

Invention: **FLUORESCENT PROTEINS AS CELL-TYPE SPECIFIC REPORTERS**

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Transmitted herewith are:

FOUR (4) sheets of formal drawing(s) for this application.

☒ Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c).

Signature

KURT G. BRISCOE
REG. NO. 33,141
NORRIS MCLAUGHLIN & MARCUS
220 EAST 42ND STREET
30TH FLOOR
NEW YORK, NEW YORK 10017
TEL.: (212) 808-0700
FAX: (212) 808-0844

Dated: Feb. 28, 2002

I certify that this document and attached formal drawings
are being deposited on _____ with the
U.S. Postal Service as first class mail under 37 C.F.R. 1.8
and addressed to the Assistant Commissioner for Patents,
Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **JURGEN HESCHELER**

Docket No.

Isarpatent 1084.1-KGB

Serial No.

To Be Assigned

Filing Date

Herewith

Examiner

J. Woitach

Group Art Unit

1632

Invention: **FLUORESCENT PROTEINS AS CELL-TYPE SPECIFIC REPORTERS**

I hereby certify that the following correspondence:

Utility Patent Application Transmittal; Appendix; Fee Transmittal in duplicate; Specification consisting of description (pages 1-13); 14 Claims (pages 14-16); Abstract (page 17); 4 Pages of Drawings; Combination Declaration & Power of Attorney; Preliminary Amendment; Information Disclosure Statement; PTO 1449; Return Receipt Postcard*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

February 28, 2002*(Date)***Jennifer Archer***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EV 015944077 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**